

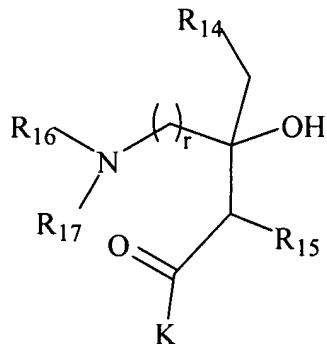
REMARKS

The specification

An amendment to the specification has been made to correct an obvious error in the structure of Formula VII. It is noted that the claims (*e.g.* claim 1 and claims dependent thereon) were already corrected to recite the correct structure via an Article 19 Amendment filed during prosecution of the PCT application. The present amendment is presented to render the formula in the specification consistent with the corrected formula in the claims and is supported by the originally filed specification as set forth below. The amendment to the specification does not add new matter.

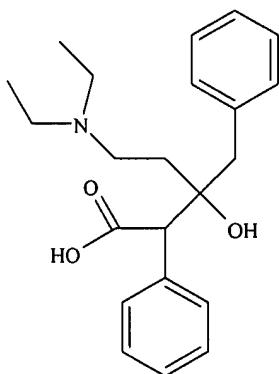
Formula VII on page 8 of the specification contains an error in that the structure of Formula VII includes a pentavalent carbon. Accordingly, applicant respectfully requests correction of this error as obvious.

The correct structure for formula VII is



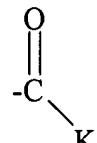
and is obvious for several reasons.

It is clear from the specification and description that Formula VII',



is a specific example of a compound having the general Formula VII. Thus, the correct structure of Formula VII is readily apparent by comparison with Formula VII'. Further support is found throughout the specification.

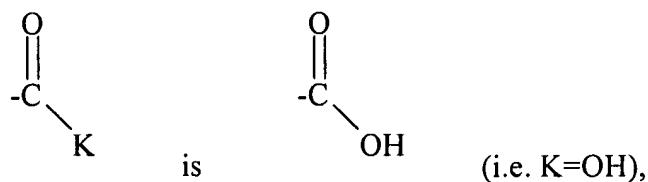
Applicant notes that the specification and claims identify that K of Formula VII "is as defined above"; that is, K is the same as in other structures. K is defined as "OR₃₂ or SR₃₂, where R₃₂ is H or lower alkyl or K is NR₃₃R₃₄, where R₃₃ and R₃₄ are the same or different and each is selected from H and lower alkyl. In particular embodiments, K is OH, SH or NH₂." (See page 5 of the specification). Formulas I, II, III and V all contain

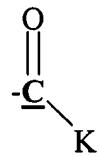


the variable K, as well as the moiety C(O)K, i.e.,

It is clear that, in each of these Formulas, as well as compounds I', II', III', V' and VII', C(O)K represents a carboxylic acid derivative. It would be obvious to a skilled worker that the group C(O)K should remain intact.

With this observation, it is obvious that, in Formula VII;





and that the carboxyl carbon of Formula VII

must be attached to the carbon bearing R₁₅, not itself the carbon bearing R₁₅. Furthermore, as a carboxyl group this must be the terminus, and there is a carbon chain extending from the carbon bearing the hydroxyl group and the carboxyl carbon.

The substituent R₁₅ is clearly attached to a carbon between the carboxyl carbon and the carbon bearing the hydroxyl (OH) group. For the reasons set forth below, it is also clear that there can only be a single carbon atom.

First, Formula VII', shown above, has only a single carbon (bearing a phenyl ring, *i.e.*, R₁₅ = phenyl) between the carboxyl carbon and the hydroxyl bearing carbon.

Therefore, Formula VII must also have only a single carbon; any alternative structure having more than one carbon would be inconsistent with Formula VII'. Applicants also note that there is no undefined variable or extraneous definition that would support having more than one carbon between the carboxyl carbon and the hydroxyl bearing carbon. For this reason as well, it is unambiguous that there can not be more than one carbon present in this position. Finally, in all other general and specific Formulas that include both the C(O)K group and a hydroxyl group (Formulas I, V, I', V' and VII'), there is only a single carbon between the carboxyl carbon and the hydroxyl bearing carbon. In each of these other Formulas, an aromatic group (like R₁₅) is attached to this intermediate carbon. For this reason as well, the correct structure for Formula VII can be unambiguously assigned.

For the reasons above, Applicants maintain that the error in Formula VII and its correction are obvious in that any one would immediately realize that nothing else could have been intended than what is offered as a corrected formula and the correct formula for Formula VII can be unambiguously assigned.

The claims

Claims 1, 5, 9, 10, 11, 17, 20, 26, 29, 35, 38, 44, 47, 49, 53, 55, 57, 59, 62, 63, 74, and 76-77 are pending. Claims 1, 5, 62 and 63 are independent.

Claim 1 recites complexes comprising generic compounds which can interact with an adrenomedullin peptide (AMP).

Claim 9 recites pharmaceutical compositions comprising generic compounds which can interact with an AMP. Claim 10 recites pharmaceutical compositions comprising species of the compounds of claim 9.

Claim 5 recites complexes comprising generic compounds which can interact with a gastric releasing peptide (GRP).

Claim 76 recites pharmaceutical compositions comprising generic compounds which can interact with a GRP. Claim 77 recites pharmaceutical compositions comprising species of the compounds of claim 76.

Most of the remaining claims recite methods or kits employing or comprising the pharmaceutical compositions of claim 9 (AMP), claim 76 (GRP), or the additional pharmaceutical composition which can react with a GRP that is recited in claim 49 (GRP). Claims 62, 63 and 74 are broad methods which encompass use of the pharmaceutical compositions claimed above.

Claims 2-4, 6-8, 12-16, 18-19, 21-25, 27-28, 30-34, 36-37, 39-43, 45-46, 48, 50-52, 54, 56, 58, 60-61, and 64-73 are canceled without prejudice or disclaimer, in order to reduce filing costs; applicants reserve the right to pursue these claims later during prosecution of this or a continuation application. Original claim 9 has been split into amended claim 9 (AMP) and new claim 76 (GRP). Claim 2 has been canceled, and the species recited in that claim are now recited, as pharmaceutical compositions, in amended claim 10 (AMP) and new claim 77 (GRP). The cancellation of the claims or the addition of the new claims does not narrow the scope of the claims, does not add new matter, and is fully supported by the specification.

Some of the claims were previously amended in an Article 19 Amendment filed during the PCT stage of prosecution, in order to address some concerns presented in the International Search Report and Written Opinion, in particular to correct the obvious error in the structure of Formula VII. The claims as amended in the Article 19

amendment are the starting claims for the present national stage application. In this preliminary amendment, the claims are further amended to correct claim dependency resulting from the cancellation of other claims, and to correct minor errors. In claim 1, the recitation of "C" as an example of substituent "Z" in the definition of Formula VI was an inadvertent obvious error, which was not consistent with the valency of carbon; the recitation of "C" has been deleted from this claim. The amendments do not narrow the scope of the claims, do not add new matter, and are fully supported by the specification.

A filing fee of \$1250.00 has been charged to our deposit account. Should any additional fee be deemed due, please charge such fee to our Deposit Account No.22-026, referencing docket number 31978-228047 and advise us accordingly.

Respectfully submitted,

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